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SEP 21 2006 IOS9601CIPB

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: D'Ausilio, R. et al :  
Serial No. 10/736,887 : Examiner: Robert P. Swiatek  
Filed: December 15, 2003 : Group Art Unit: 3643  
Title: In Orbit Space :  
Transportation & Recovery :  
System :

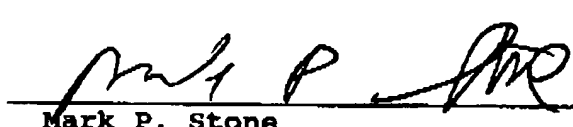
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

The undersigned hereby certifies that the enclosed Response To Official Action was forwarded to the United States Patent & Trademark Office by facsimile transmission to facsimile telephone number (571) 273-8300 on the date indicated below.

Respectfully submitted,

Dated: 9/21/06

  
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RESPONSE TO OFFICIAL ACTION

In response to the Official Action dated September 8, 2006 for the above identified patent application, Applicant confirms that it has elected the species of the invention defined by dependent Claim 57, namely, "A direct communication service using frequency bands 11 and 12".

As indicated in the Official Action dated September 8, 2006, Claims 60, 61, 103, 106, 108, 109, and 116 are generic to all species of the invention identified in the Official Action.

Applicant also confirms that Claims 58, 59, 62, 63, 104, 105, 107, and 110 - 115 are withdrawn from consideration at this time, as being directed to non-elected species of the invention. These claims are subject to being added back to this application upon allowance of a generic claim.

Applicant also confirms that Claims 1 - 56 and 64 - 102 have been cancelled, without prejudice, in the Second Preliminary Amendment, filed on June 21, 2006.

Respectfully submitted,



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